

Amendment No. 5 to HB3450

**Niceley
Signature of Sponsor**

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 3296*

House Bill No. 3450

By adding the following new section to be designated as §29-17-102 to the amendatory language of SECTION 1 and by renumbering the present section accordingly:

§29-17-102. If property condemned or taken by eminent domain is not used for the purpose or purposes for which it was condemned or for some other authorized public use, and the condemning entity subsequently decides to sell it, the property shall be first offered for sale to the person or persons from whom the property was condemned or taken at the price the condemning authority paid the property owner for the property or the fair market value, whichever is less. The person from whom the property was condemned or taken shall have sixty (60) days in which to sign an agreement to purchase the property. If such person is no longer living, the property next shall be offered for sale to the person or person's ascertainable heirs or assigns at the price the condemning authority paid the property owner for the property or the fair market value, whichever is less. Upon notice to all such heirs and assigns, such heirs and assigns shall have sixty (60) days in which to sign an agreement in which some or all of them will purchase the property. In the alternative, they may all renounce in writing their rights to purchase the property within sixty (60) days. If no purchase agreement is signed or not all renunciations are given within sixty (60) days, the selling entity shall hold a private auction with such heirs and assigns and sell the property to the highest bidder.